

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
MAY 10, 2016 - 5:00 P.M.

The City Council met on May 10, 2016, in regular session.

The meeting was called to order at 5:00 p.m. by Council President Williams. On roll call by the City Clerk, Iva Nelson, the following council members answered present: Toles, Williams, Worthy, Echols, Billingsley, Cannon and Reed. The clerk stated a quorum was present and the meeting was open for business. Heath Williamson, Lee Roberts and Acting Chief Jaggears were also present. Mayor Guyton was absent.

The invocation was given by Councilwoman Toles.

The minutes of the Public Works Committee, Work Session and Council meeting held on May 3, 2016, were approved by unanimous vote.

Payment of the HTE System accounts for the week of April 29 - May 5, 2016 were ratified by unanimous vote.

#165169-165361	General	\$968,540.89
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On behalf of Mayor Guyton, Shane Ellison read a proclamation proclaiming May 2016, as "Mental Health Month" and presented it to Charles Abney.

President Williams recognized Acting Police Chief Lamar Jaggears.

UNFINISHED BUSINESS

(1) The following ordinance, which was introduced for first reading at last week's meeting, was presented for consideration:

ORDINANCE NO. O-24-16

AMENDING CITY CODE SECTION 74-91
TO ADD LICENSE CLASSIFICATION NUMBER 4550

(Adding classification to business license schedule: 4550, Special Event License/Barbarian Challenge, Schedule 85 - Note: For vendors at event)

Councilman Cannon moved to adopt the ordinance, which motion was seconded by Councilman Billingsley and unanimously adopted.

(2) President Williams announced that no action was necessary regarding 606 Frederick Street in District 1, as the nuisance has been abated by the owner.

(3) A resolution ordering the abatement of nuisances on property at 1133 Litchfield Avenue in District 2, which was tabled for 30 days on April 5, was presented in writing for consideration. Upon recommendation of the Building Inspector, Councilman Cannon moved to table the resolution an additional 30 days. The motion was seconded by Councilman Worthy and unanimously carried.

(4) A resolution ordering the abatement of nuisances on property at 919 Holly Street in District 5, which was tabled for 30 days on April 5, was presented in writing for consideration. Upon recommendation of the Building Inspector, Councilman Billingsley moved to table the resolution an additional 30 days. The motion was seconded by Councilman Cannon and unanimously carried.

(5) President Williams announced that no action was necessary regarding 2310 Clayton Avenue in District 7, as the nuisance has been abated by the owner.

PUBLIC HEARINGS

President Williams stated this was the time and place as advertised to conduct the following public hearings:

(1) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 201 Brown Street, Jessica Lee Boswell Hope, Lawrence Hodge and their heirs, and Willodean Woody being the last known owners. Willodean Woody stated the grass has been cut and she is looking for someone to demolish the structure. Councilwoman Toles advised her the City can perform demolition and she can make payments for the cost. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in August 2015, and recommended abatement. Ms. Woody said she has decided to support demolition by the City and will set up a payment plan. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-208-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 201 Brown Street - District 1 - Jessica Lee Boswell Hope; Lawrence Hodge and heirs; Willodean Woody)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.

(2) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 1120 Springfield Avenue, the State of Alabama and Rita McCants being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in August 2015, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-209-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1120 Springfield Avenue - District 1 - State of Alabama; Rita McCants)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.

(3) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 1122 Springfield Avenue, the State of Alabama and Rita McCants being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in August 2016, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-210-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1122 Springfield Avenue - District 1 - State of Alabama; Rita McCants)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.

(4) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 1400 Springfield Avenue, the State of Alabama and Heirs of Emma Frazier being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made to this vacant commercial building since procedures began in August 2015, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-211-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1400 Springfield Avenue - District 1 - State of Alabama; Heirs of Emma Frazier)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy and unanimously adopted.

(5) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 1218 Alabama Avenue in District 3, the Estate of James Buford Pair, heirs being Lionel Pair and Carolyn Pair Mills, being the last known owners. James Pair requested additional time to make repairs to the house at 1218. He acknowledged the structures at 1220 and 1222 need to be demolished, which will provide needed parking for the remaining house. Mr. Pair said he had inherited 20 properties and is working to make repairs and/or dispose of them. Brian Harbison, Building Inspector, said he had spoken with Mr. Pair before the meeting and will support repairs being made to 1218. He recommended abatement for 1220 and 1222 Alabama Avenue. Councilman Worthy advised Mr. Pair to begin work immediately and moved to table the resolution regarding 1218 Alabama Avenue for 30 days. The motion was seconded by Councilman Cannon and unanimously carried.

The following resolutions were introduced in writing for consideration:

RESOLUTION NO. R-212-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1220 Alabama Avenue - District 3 - Estate of James Buford Pair; Lionel Pair; Carolyn Pair Mills)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.

RESOLUTION NO. R-213-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1222 Alabama Avenue - District 3 - Estate of James Buford Pair; Lionel Pair; Carolyn Pair Mills)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.

(6) President Williams announced a resolution authorizing a special use permit for T-Mobile to construct a new wireless telecommunications facility at 104 12th Street North in East Gadsden had been removed from today's agenda. Due to an error in the notice, the public hearing will be readvertised and will be conducted on May 24.

RESOLUTIONS PRESENTED FOR CONSIDERATION:

(1) The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-214-16

AUTHORIZING EASEMENT TO
ALABAMA POWER COMPANY

(Authorizing Easement - Alabama Power Company - To install utility service for new community center for Boys and Girls Club located at 2210 W. Meighan Boulevard - Note: Former General Forrest Middle School building)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.

PUBLIC

By unanimous consent, Earl Heard was allowed to speak. On behalf of himself and others in the community, he expressed concern with the proposed cell tower (104 12th Street North), citing dangers and health concerns. President Williams assured Mr. Heard their concerns will be taken into consideration.

MAYOR AND COUNCIL REMARKS

Councilman Worthy reiterated his encouragement that owners retain control of their property, even if the City intervenes by nuisance proceedings. He referred to community events and said he feels a City radio station is needed to keep the public informed.

Councilman Billingsley commended the Police Department for traffic control in conjunction with last Friday's fishing tournament.

President Williams noted the City Council had given a verbal commitment to a citizenship program, which was presented by Gadsden City High School seniors. He announced there will be no work session or Council meeting on May 17 due to the Alabama League of Municipalities conference in Huntsville.

There being no further business to come before the Council, the meeting was duly adjourned.

Iva Nelson, City Clerk (5-10-2016)
